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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA, ) Case No.: 2:16-CR-00256-JAD-GWF  
Plaintiff, )  
vs. )  
JIMMIE LOUIS POPE, )  
Defendant. )  
)  
**STIPULATION AND ORDER TO**  
**CONTINUE REVOCATION**  
**HEARING**  
**(FOURTH REQUEST)**

IT IS HEREBY STIPULATED AND AGREED, by and between BRIAN J. SMITH, counsel  
for JIMMIE LOUIS POPE, Christopher Chiou, Acting United States Attorney, and ERIC C.  
SCHMALE, Assistant United States Attorney, that the revocation hearing currently scheduled for  
July 12, 2021, at the hour of 11:00 a.m., be vacated and set to a date and time convenient to this  
court, but in no event earlier than seven (7) days.

This Stipulation is entered into for the following:

1. Mr. Smith needs more time to communicate regarding this matter with his client.
  2. Defendant Pope, who is in custody, agrees to the continuance.
  3. Brian J. Smith, counsel for Pope is in agreement with this continuance.
  4. Counsel for the government is in agreement with this continuance.
  5. The additional time requested by this stipulation is made in good faith and not for purpose of delay.

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1           6. Additionally, denial of this request or continuance would result in a miscarriage of  
2           justice.  
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4           This is the fourth stipulation to continue filed herein.  
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6           RESPECTFULLY SUBMITTED BY:  
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8           CHRISTOPHER CHIOU  
9           Acting United States Attorney  
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11           \_\_\_\_\_  
12           /s/*Eric C. Schmale*  
13           ERIC C. SCHMALE, ESQ.  
14           Assistant United States Attorney  
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16           \_\_\_\_\_  
17           /s/*Brian J. Smith*  
18           BRIAN J. SMITH, ESQ.  
19           Attorney for POPE  
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DISTRICT OF NEVADA**

## **FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER**

Based upon the submitted Stipulation of the parties, and good cause appearing therefore, the Court finds that:

1. Mr. Smith needs more time to communicate regarding this matter with his client.
  2. Defendant Pope, who is in custody, agrees to the continuance.
  3. Brian J. Smith, counsel for Pope is in agreement with this continuance.
  4. Counsel for the government is in agreement with this continuance.

## **CONCLUSIONS OF LAW**

1. Denial of this request for continuance would deny the defendant sufficient time to be able to fairly resolve his case, taking into account the exercise of due diligence.
  2. The additional time requested by this stipulation is made in good faith and not for purpose of delay.

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3. Additionally, denial of this request or continuance would result in a miscarriage of justice.

This is the fourth stipulation to continue filed herein.

## **ORDER**

**IT IS THEREFORE ORDERED** that the revocation hearing currently scheduled for July 12, 2021, at the hour of 11:00 a.m., be vacated and continued to July 19, 2021, at the hour of 3:00 p.m.

DATED this 12th day of July, 2021.

UNITED STATES DISTRICT COURT JUDGE